

United States Court of Appeals
For the First Circuit

04-10927
MA - Boston
R. Stearns

No. 05-1195

MANDATE

RONALD JORDAN, ROBERT MACKAY AND
THE MBTA POLICE PATROLMAN'S UNION,

Plaintiffs, Appellees,

v.

JOSEPH C. CARTER,

Defendant, Appellant.

JUDGMENT

Entered: November 4, 2005

This cause came on to be heard on appeal from the United States District Court for the District of Massachusetts, and was argued by counsel.

Upon consideration whereof, it is now here ordered, adjudged and decreed as follows:
The district court's denial of Joseph C. Carter's motion to dismiss the individual claims on the defense of qualified immunity is affirmed.

**Certified and Issued as Mandate
under Fed. R. App. P. 41.**

Richard Cushing Donovan, Clerk

Jennifer Calabro
Deputy Clerk

Date: 11.28.05

By the Court:

Richard Cushing Donovan
Richard Cushing Donovan, Clerk

[cc: Mr. Louison, Mr. Campbell, Mr. Bonenfant & Mr. Batten.]